

**REMARKS**

Claims 1 and 10 have been amended.

Claims 1-15 are pending and under consideration. Reconsideration of claims 1-15 is respectfully requested.

**I. REJECTION OF CLAIMS 1-7, 9-13 AND 15 UNDER 35 U.S.C. § 102(e) AS BEING ANTICIPATED BY FATEHI (US PATENT NO. 6,512,612):**

The present invention as recited in the claim 1, for example, relates to an apparatus having a plurality of signal inputs and a plurality of signal outputs, comprising one or more sub-switch units. Each sub-switch unit having a portion of the signal inputs, which are not all of the signal inputs that the apparatus is able to accommodate, and switching and connecting the portion of the signal inputs to a portion of the signal outputs, which are not all of the signal outputs that the apparatus is able to accommodate. The one or more sub-switch units are independent from one another and form a non-complete switch, through which all the signal inputs to the apparatus are switched and connected.

In addition, the present invention includes, for example, a signal switching and connection method comprising “providing a non-complete group switch having one or more independent sub-switch units and inputting a portion of the plurality of signals into each of the sub-switch units”. The method further includes “switching, connecting, and outputting the portion of the signals, wherein all of the plurality of signals are switched and connected by the non-complete group switch” as recited in claim 10.

Fatehi discloses in FIG. 3, an optical router for combining the packets of one or more underutilized wavelengths onto another underutilized wavelength. The optical router includes an optical (NK+O) by (NK+L) space switch (see column 5, lines 1-4). The space switch illustrates all of the associated inputs being connectable to all of the associated outputs.

In addition, Fatehi discloses that the space switch may be partitioned into a plurality of smaller switches (see column 5, lines 35-38). However, Fatehi fails to provide any additional details regarding the partitioning of the space switch.

In item 2 of the Office Action, the Examiner asserts that Fatehi discloses “one or more sub-switch units” (i.e., two switch portions respectively in FIG. 3A and FIG. 3B). However, the Applicant respectfully disagrees. That is, Fatehi fails to disclose one or more independent sub-

switch units.

Specifically, in Fatehi, the two switches referred to by the Examiner are not independent from one another. The electronic packet combiner 240 performs the combining of the packets of the under-utilized wavelengths of an input OL 205 into a single wavelength and then the repacked wavelength signal is connected to one of the inputs for routing through the space switch 201 and then switched by an optical unit controller to cross-connect to the appropriate one of the outputs of the space switch (see column 6, lines 10-25).

Also, Fatehi fails to disclose "the sub-switch units each having a portion of the signal inputs, which are not all of the signal inputs that the apparatus is able to accommodate, and switching and connecting the portion of the signal inputs to a portion of the signal outputs, which are not all of the signal outputs that the apparatus is able to accommodate" as recited in claim 1. Therefore, it is respectfully submitted that the teachings of Fatehi are fundamentally different from the present invention.

Accordingly, claim 1-7, 9-13 and 15 patentably distinguish over Fatehi. Therefore, withdrawal of the rejection of claims 1-7, 9-13 and 15 under § 102(e) is respectfully requested.

**II. REJECTION OF CLAIM 8 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER FATEHI IN VIEW OF KAMINOW (US PATENT NO. 5,623,356):**

As mentioned above, Fatehi fails to disclose all of the features as recited in claim 1 from which claim 8 depends. In addition, Kaminow fails to make up for the deficiencies of Fatehi.

Instead, Kaminow discloses in FIG. 1, a combined wavelength router/switch apparatus for use in an optical communication system. The apparatus includes arrays of optical signal demultiplexers, wavelength division switches, space division switches and multiplexers, arranged in a manner to increase the connectivity of an optical system using wavelength division multiplexed signals (see Abstract).

However, neither Fatehi nor Kaminow, individually or combined, disclose all of the features as recited in claim 1 from which claim 8 depends. Therefore, the combination of Fatehi and Kaminow fails to establish a prima facie case of obviousness. Accordingly, claim 8 patentably distinguishes over the combination of Fatehi and Kaminow. Thus, withdrawal of the § 103(a) rejection of claim 8 is respectfully requested.

**III. REJECTION OF CLAIMS 9 AND 14 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER FATEHI:**

As mentioned above, Fatehi fails to disclose all of the features as recited in independent claims and 10 from which claims 9 and 14 respectively depend. Thus, claims 9 and 14 patentably distinguish over Fatehi at least due to their dependency upon independent claims 1 and 10 for the reasons previously mentioned above.

**IV. CONCLUSION:**

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore, defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

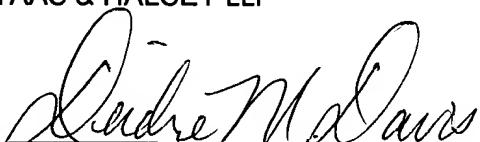
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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